

<b>MEETING:</b>	<b>AUDIT &amp; GOVERNANCE COMMITTEE</b>
<b>MEETING DATE:</b>	<b>18 March 2014</b>
<b>TITLE OF REPORT:</b>	<b>STATUS OF ROSS-ON-WYE COMMUNITY GOVERNANCE REVIEW GROUP</b>
<b>REPORT BY:</b>	<b>SOLICITOR TO THE COUNCIL</b>

## **Classification**

Open

## **Purpose**

To clarify the status of the group conducting the Ross-on-Wye Community Governance Review.

## **Recommendation(s)**

**THAT:** it be noted that the group set up to conduct the Ross-on-Wye Community Governance Review is a working group reporting to the Audit & Governance Committee.

## **Alternative Options**

- 1 There are no alternative options. The establishment of committees (which includes sub-committees) and appointment of members to those committees is a matter reserved to Council.

## **Reasons for Recommendations**

- 2 To correct the previous misconception and clarify the status of the working group.

## **Key Considerations**

- 3.1 On 21 September 2012, the Audit and Governance Committee considered a report recommending the setting-up of a sub-committee. The purpose of the sub-committee would be to conduct a community governance review and to make recommendations to the Audit and Governance Committee as to the future community governance of the Ross Town Council and Ross Rural Parish Council areas.
- 3.2 Council had previously decided that a community governance review of the areas of Ross Town Council and Ross Rural Parish Council, would take place in the autumn of 2013, and had empowered the Audit and Governance Committee to undertake all

community governance reviews and to make recommendations to council on the matter.

- 3.3 Members agreed to proceed with the Community Governance Review for Ross Town and Ross Rural Parish Councils. The committee resolved that a Community Governance Review Sub-Committee be formed.
- 3.4 However, the council's Constitution (Part 3-The Functions Scheme, Section 2 – Council Functions) provides that 'Setting the terms of reference of committees, deciding on their composition, and allocating seats on them' is a function of the Council. That function is not delegated to Audit and Governance Committee, and the Audit and Governance Committee is not, therefore, empowered to appoint sub-committees, and should have appointed a working group to conduct the Community Governance Review.
- 3.5 The Committee is asked to note that a report on changes to the membership of the proposed sub-committee was considered by the Audit and Governance Committee on 25 September 2013, but that decision has not been fully implemented. Given that a sub-committee was not formed the rationale for the report to the Committee in September 2013 does not apply. For the avoidance of doubt it is proposed that the following Councillors who have been involved in meetings to date should complete the review, making recommendations to the Audit and Governance Committee: AM Atkinson, CNH Attwood, PGH Cutter (Chairman), EPJ Harvey, JA Hyde and J Stone.

## **Community Impact**

4. There are no community impact implications.

## **Equality and Human Rights**

5. The recommendation pays due regard to the council's public sector equality duty as set out below, having due regard to the need to:
  - eliminate discrimination, harassment, victimisation and any other conduct ... prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

## **Financial Implications**

6. There are no financial implications.

## **Legal Implications**

- 7.1 The proposal will regularise the current position, ensuring that the Community Governance Review Working Group is established in accordance with legal requirements. (The Constitution, Part 3 – The Functions Scheme, Section 1 – Introduction. 3.1.7: References in the Scheme to the Functions Regulations are to the Local Authorities (Functions and Responsibilities (England)) Regulations 2000 as amended. Any reference in this Constitution to any function, and any delegation of function or responsibility includes all action associated with that function or power and all related enforcement and other actions.

7.2 The confirmation of the status of the working group has no impact on its work, and it will continue to report, and make recommendations to, the Audit and Governance Committee. The Audit and Governance Committee will make recommendations to Council.

## **Risk Management**

8 There are no risks attached.

## **Consultees**

9 This is an administrative matter and there were no consultees.

## **Appendices**

None.

## **Background Papers**

- None identified.